

Appl. No. 10/078,026
Amtd. dated July 5, 2005
Reply to Office action of April 5, 2005
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REMARKS

Claims 26-32 have been withdrawn. Claims 9, 10 and 33-36 have been cancelled.

Claim 1 and the claims dependent from it were rejected as being either anticipated by or obvious from Brenner (US 6,497,681). Brenner discloses a slitting tool having two hinged halves that form a clamshell type structure. When the halves are folded together to close the clamshell, a closed, circular channel is formed around an IMD. A blade carried by one of the halves cuts an introducer sheath or catheter to split it. In use, a user grips the tool between the thumb and forefinger, with the thumb and forefingers positioned against opposite side surfaces of the closed clamshell.

In contrast, the tool of amended claim 1 specifies an open channel in a top surface that receives the IMD. Further, the top surface has a thumb receiving area where a user's thumb is placed to hold the IMD in position in the open channel. The tool further has a nose section having a cutting member on an underside surface that is displaced away from the IMD.

Based upon the amendments to claim 1, Applicants submit that all pending claims distinguish over Brenner. Further, Applicants submit that the pending claims are neither anticipated by or rendered obvious by Brenner.

Respectfully submitted,

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07/05/05
Date


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